



The Honorable Franklin D. Burgess

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

ERNEST BRANIGH, et al.,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

Case No.: C 07-5042 FDB

**Order Reinstating the Action
and Granting Stay**

ORDER

This matter is before the Court on the Plaintiffs' Stipulated Motion for Reinstatement of the Action and Stay in the Proceedings. Having considered the Motion, and there being no opposition, and good cause having been shown, it is,

ORDER REINSTATING THE ACTION AND
GRANTING STAY

- 1 -

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GRAVES**

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1 **ORDERED**, that the Plaintiffs' instant Motion is **GRANTED**, and it is further
2 **ORDERED**, that the Order dismissing this instant action with prejudice is hereby
3 **VACATED**, and it is further

4 **ORDERED**, that the above-entitled action, including the trial date is hereby stayed,
5 and it is further

6 **ORDERED**, that periodically, beginning no later than forty-five (45) days from the
7 date of entry of this order, the parties shall report to the court regarding the status of review
8 and/or approval of the proposed settlement by the Justice Department, and it is further

9 **ORDERED**, that a hearing is hereby set for February 26, 2008, at 9:00 AM either
10 for review and ruling on the minors' portion of the settlement, or, in the alternative, a status
11 hearing, if the Justice Department has not finally approved the settlement by that date.

12 Dated this 23 day of January, 2008.

13 
14 _____
15 Franklin D. Burgess, United States District Judge

16 Presented by: /s/Edward L. Norwind
17 Edward L. Norwind, Esq.
18 J. Philip Kessel, Esq.
19 Murray D. Scheel, Esq.
20 Walter A. Oleniewski, Esq. (of counsel)

21 *Attorneys for the Plaintiffs*
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Plaintiffs' Stipulated Motion for Reinstatement of the Action and Stay in the Proceedings and proposed Order were sent via e-filing this **17th** day of January, 2008 to:

Peter Wynn, Esq.
Assistant United States Attorney for the
Western District of Washington
700 Stewart Street
Suite 5220
Seattle, WA 98101-1271

Respectfully submitted,

**KARP, FROSH, LAPIDUS, WIGODSKY
& NORWIND, P.A.**

/s/Edward L. Norwind
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Attorneys for Plaintiffs